

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**GAREY E. SEGER and  
TWILA SEGER,**

**Plaintiffs,**

**LIBERTY MUTUAL INSURANCE,**

**Intervenor,**

**VS.**

**ERNEST-SPENCER METALS, INC., et al.,)**

**Defendants.**

**8:08CV75**

**CORRECTED<sup>1</sup>**  
**ORDER**

This matter is before the court on the Tank Connections, LLC's Motion for Extension of Case Progression ([Filing No. 211](#)). The plaintiffs oppose the requested extension. The court held a telephone conference regarding this motion and the status of the case on October 2, 2009. For the reasons stated during the conference, the motion will be granted as set forth herein. Upon consideration,

**IT IS ORDERED:**

1. Tank Connections, LLC's Motion for Extension of Case Progression ([Filing No. 211](#)) is granted as follows.
- a. The defendants shall have to **on or before December 15, 2009**, to serve expert disclosures regard expert witnesses related to damages.
  - b. The defendants shall have to **on or before December 30, 2009**, to serve expert disclosures regard expert witnesses related to causation.
  - c. The plaintiffs shall have to **on or before January 29, 2010**, to serve rebuttal expert disclosures.

<sup>1</sup> This order corrected the clerical error made in Filing No. 223. A telephone planning conference is scheduled for February 19, 2010 at 10:30 a.m. Central Standard Time, not February 19, 2009.

d. The parties shall have to **on or before February 12, 2010**, to file any motions for summary judgment.

2. A **telephone** planning conference with the undersigned magistrate judge will be held **February 19, 2010, at 10:30 a.m. Central Standard Time**. Plaintiffs' counsel shall initiate the telephone conference.

3. The defendant Burns & McDonnell Engineering Company, Inc.'s Motion to Compel ([Filing No. 213](#)) and any subsequently filed motion to compel are hereby scheduled for hearing on **November 5, 2009, at 10:30 a.m.** in Courtroom No. 7, Second Floor, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

4. The defendant Burns & McDonnell Engineering Company, Inc. shall serve the non-party Valmont Industries, Inc. with a copy of its motion, brief, and indexes of evidence, and this order and file a certificate of such service forthwith.

DATED this 5th day of October, 2009.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge